

JOURNAL OF THE SENATE

164

Tuesday, April 24, 1951

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Monday, April 23, 1951.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

—38.

A quorum present.

The following prayer was offered by the Senate Chaplain, Reverend Walter R. Faust:

"Our God, before whom every tyrant must one day bow, and by whose grace right shall ultimately be girded with might, may Thy guidance be given our Nation's leaders that we may with honor fill our place in the community of nations. Forbid that we should falter in our supreme struggle for a free world. May the wisdom from above direct the decisions of this Chamber that the interest of the people may be the only consideration, and Thy will be done, in the name of our Lord, Jesus Christ we pray, Amen."

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, April 23, 1951, was corrected as follows:

Page 1, column 2, line 26, counting from the bottom of the column, after the word "do" and before the word "pass" insert the word "not".

Also—

Page 2, column 1, strike out lines 4 to 52, both inclusive, and insert in lieu thereof the following:

Senator Ripley, Chairman of the Committee on Judiciary "C," reported that the Committee had carefully considered the following Bill:

S. B. No. 13—A bill to be entitled An Act relating to hotels, apartment houses and rooming houses; defining said terms for the purposes hereof; authorizing the Hotel Commissioner to suspend or revoke the license issued by him for any hotel, apartment house or rooming house when the manager, assistant manager or desk clerk, or any other person in charge, control or management thereof, suffers or permits gambling therein or in or upon any premises which are used in connection therewith and are under the same management; prescribing the proceedings for such suspension or revocation and for the review of such proceedings; relating to the burden of proof at suspension and revocation hearings and prescribing the effective date hereof.

—and the Committee recommends that the Committee substitute therefor, as returned herewith, do pass.

And the Bill contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Ripley, Chairman of the Committee on Judiciary "C", reported that the Committee had carefully considered the following Bills:

S. B. No. 4—A bill to be entitled An Act relating to horse

and dog racing; prohibiting prescribed classes of persons from holding a horse or dog racing permit in the State of Florida, or being members of an association holding such a permit, or being officers or directors of a corporation holding such a permit, or being employees of the holder of any such permit in connection with the racing business; and providing for the revocation of racing permits in case of the violation of this Act.

S. B. No. 9—A bill to be entitled An Act relating to gambling; prescribing penalties for engaging in the species of gambling commonly known as bookmaking; and prescribing the effective date hereof.

S. B. No. 10—A bill to be entitled An Act relating to racing; providing that the records, books, maps, documents and papers of the State Racing Commission shall be open at all times to the inspection of any citizen of Florida; and providing penalties for the violation hereof.

—and the Committee recommends that the Committee substitute therefor, returned herewith, do pass.

And the Bills contained in the preceding report, with the recommended Committee Substitutes attached thereto, were placed on the Calendar of Bills on Second Reading.

And as corrected was approved.

REPORTS OF COMMITTEES

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bill:

S. B. No. 379—A bill to be entitled An Act relating to punishment and providing that whenever punishment by imprisonment is prescribed the Court may in its discretion, where the sentence is for a term of two years or less, direct that the imprisonment be in the County jail.

—and recommends that it do pass.

And the Bill contained in the preceding report was referred to the Committee on Judiciary "C" under the original joint reference.

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bill:

S. B. No. 387—Affecting Escambia County.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bill:

H. B. No. 266—Affecting Duval and Dade Counties.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bills:

S. B. No. 242—Affecting Clay County.

S. B. No. 270—Affecting Hillsborough, Duval and Dade Counties.

S. B. No. 274—Affecting Hillsborough, Duval and Dade Counties.

S. B. No. 276—Affecting Hillsborough, Duval and Dade Counties.

S. B. No. 277—Affecting Hillsborough, Duval and Dade Counties.

S. B. No. 285—Affecting Volusia County.

S. B. No. 299—Affecting Hillsborough, Duval and Dade Counties.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Johns, Chairman of the Committee on Prisons and Convicts, reported that the Committee had carefully considered the following Bill:

S. B. No. 297—A bill to be entitled An Act to create an industrial trust fund for the State Prison at Raiford, appropriating funds therefor, providing for crediting of additional monies to such fund, authorizing uses of and disbursements from such fund and providing for keeping of necessary records and accounts.

—and recommends that it do pass.

And the Bill contained in the preceding report was referred to the Committee on Appropriations under the original joint reference.

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bill:

S. B. No. 349—Affecting Gadsden County.

—and recommends that the same do pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Wright, Chairman of the Committee on Population, reported that the Committee had carefully considered the following Bill:

S. B. No. 253—Affecting Pasco County.

—and recommends that the same do pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Smith, Chairman of the Committee on Forestry and Parks, reported that the Committee had carefully considered the following Bill:

S. B. No. 122—A bill to be entitled An Act relating to the cutting or removing of timber from uninclosed land; making certain acts a crime; providing penalties.

—and recommends that it do not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Clarke, Chairman of the Committee on Constitutional Amendments, reported that the Committee had carefully considered the following Resolution:

S. J. R. No. 290—A Joint Resolution proposing an amendment to Article V of the Constitution of Florida relating to the Judicial Department; repealing Sections Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Forty-Four (44) and Forty-Nine (49) thereof pertaining to the organization, powers and jurisdiction of the Supreme Court, the assignment of Judges to hear and determine cases, and eligibility of retired Justices and Circuit Judges for call to temporary active duty; and inserting in lieu thereof the following Sections numbered Two (2) to Eight (8), inclusive, pertaining to the same general subject matter.

—and the Committee recommends that the Committee substitute therefor, as returned herewith, do pass.

And the Resolution contained in the preceding report, with the recommended Committee Substitute attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Smith, Chairman of the Committee on Forestry and Parks, reported that the Committee had carefully considered the following Bill:

S. B. No. 123—A bill to be entitled An Act to amend Sections 590.02 and 590.14 Florida Statutes relating to forest protection; the powers, authority and duties of the Florida Board of Forestry; the appointment of forest fire fighting crews, forest rangers and forest investigators and their powers, authority and duties; and penalties for violation of forest protection laws.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with Senate amendments, for engrossing—

S. B. No. 105—A bill to be entitled An Act providing for the enforcement of orders or decrees for the payment of alimony, support and separate maintenance prescribing the manner of and venue in which application may be made, providing for the payment of costs and attorney's fees, and providing the manner of service of notice.

—begs leave to report that the Senate amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Engrossing Clerk.

And Senate Bill No. 105, contained in the above report was ordered certified to the House of Representatives.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

S. B. No. 119.

—begs leave to report same has been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on April 24, 1951, for his approval.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Boyle—

S. B. No. 430—A bill to be entitled An Act providing for the relief of W. G. Kilbee to indemnify him for losses sustained by him in the dipping of his cattle at the direction of the State Live Stock Sanitary Board, during the years 1948, 1949 and 1950 in a tick infested area in Volusia County, Florida, in a mixture containing DDT and arsenic which produced his said losses and designating the fund from which such payment shall be made.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Clarke—

S. B. No. 431—A bill to be entitled An Act amending Section 821.25, Florida Statutes: Making it unlawful to injure flowers, shrubs, grounds and certain other property of certain State institutions, agencies and departments and providing a penalty.

Which was read the first time by title only and referred to the Committee on Forestry and Parks.

By Senator Johnson—

S. B. No. 432—A bill to be entitled An Act relating to the use of county moneys for the payment of county obligations, transfers of money from one county fund to another, and use of moneys appropriated for one purpose when not needed for that purpose for which appropriated in the payment of other county expenses in counties having a population of not less than 36,400 and not more than 37,000, according to the last preceding Federal census.

Which was read the first time by title only and referred to the Committee on Population.

By Senator Beall—

S. B. No. 433—A bill to be entitled An Act to amend Section 364.27, Florida Statutes, 1949, relating to the powers and duties of the Florida Railroad and Public Utilities Commissioners concerning interstate telegraph and telephone rates, rules and practices by giving said Commissioners discretionary authority to investigate such rates, rules and practices and by authorizing said Commissioners to apply to the Federal Communications Commission for relief from certain of such rates, rules and practices; repealing all laws in conflict herewith and fixing an effective date for this Act.

Which was read the first time by title only and referred to the Committee on Public Utilities.

By Senator Beall—

S. B. No. 434—A bill to be entitled An Act repealing Section 350.53, Florida Statutes, 1949, relating to the statement required to be transmitted to the Florida Railroad and Public Utilities Commissioners annually on or before the first day of August by certain railroads, railroad companies and common carriers; and fixing the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Public Utilities.

By Senator Lewis—

S. B. No. 435—A bill to be entitled An Act fixing the compensation of members of boards of county commissioners in all counties of the State of Florida having a population of not less than 31,000 and not more than 34,650 according to the last Federal census, and designating the fund out of which such compensation shall be paid.

Which was read the first time by title only.

Senator Lewis moved that the rules be waived and Senate Bill No. 435 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 435 was read the second time by title only.

Senator Lewis moved that the rules be further waived and Senate Bill No. 435 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 435 was read the third time in full.

Upon the passage of Senate Bill No. 435 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 435 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ripley—

S. B. No. 436—A bill to be entitled An Act requiring the closing of all county offices in the county court house in all counties in the State of Florida having a population of not less than 300,000 and not more than 400,000 according to the last official census on Saturdays of each week and limiting the closing of such offices to certain other days.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 436 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 436 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 436 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 436 was read the third time in full.

Upon the passage of Senate Bill No. 436 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 436 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Franklin—

S. B. No. 437—A bill to be entitled An Act to designate and establish a certain State road in Hendry County, Florida.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Johnston—

Senate Joint Resolution No. 438:

A JOINT RESOLUTION PROPOSING AMENDMENT TO ARTICLE IX OF THE CONSTITUTION OF THE STATE OF FLORIDA RELATIVE TO TAXATION AND FINANCE, TO BE KNOWN AS SECTION 14 OF ARTICLE IX.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the following amendment to Article IX of the Constitution of the State of Florida, to be known as Section 14 of said Article IX, be and the same is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the General Election to be held on the first Tuesday after the first Monday in November, 1952, as follows:

Section 14. For a period of fifteen years from the beginning of operation, motion picture studios and plants which shall be established in this State on or after July 1, 1951, including all lands, buildings and chattels utilized in connection therewith, and all raw materials going into the finished products of such studios and plants, as well as the finished products or films, shall be exempt from all taxation, except that no exemption which shall become effective by virtue of this amendment shall extend beyond the year 1966.

The exemption herein authorized shall not apply to real estate owned by such motion picture studios and plants except the real estate occupied as the location required to house

such motion picture studios and plants and other buildings incidental to the operation of such studios and plants, together with such lands as may be required for housing officers and employees, and for warehouses, laboratories, cutting rooms, projection rooms, storage, trackage, shipping facilities, sets and locations.

Which was read the first time in full and referred to the Committee on Constitutional Amendments.

By Senator Baynard—

S. B. No. 439—A bill to be entitled An Act to amend Chapter 114, Florida Statutes, by adding thereto a section relating to the filling of vacancies in the office of Supreme Court Justice or Circuit Court Judge.

Which was read the first time by title only and referred to the Committee on Judiciary "B".

By Senator Baynard—

S. B. No. 440—A bill to be entitled An Act providing that the assessments for taxes of the real and personal property used in the operation of all companies operating telephone, electric power, water supply, and pipe lines in the State of Florida shall be as provided by law for the assessments of railroads; and exempting municipalities of Florida and rural electrification associations.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Gautier (28th)—

S. B. No. 441—A bill to be entitled An Act to provide for a refund of certain portions of advance payments of the inventory taxes imposed by Section 204.03, Florida Statutes, 1941, said section having been repealed by Section 12 of Chapter 26319, Acts 1949; and making appropriation therefor.

Which was read the first time by title only and referred to the Committee on Pensions and Claims and the Committee on Appropriations, in the order named.

By Senator Gautier (13th), Beall, Lindler, Gautier (28th) and Pope—

S. B. No. 442—A bill to be entitled An Act amending Section 440.12, Florida Statutes, 1949, relating to the amount of compensation payable for disability under the terms of the Florida Workmen's Compensation Act.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senators Gautier (13th), Beall and Gautier (28th)—

S. B. No. 443—A bill to be entitled An Act amending Subsection (3) of Section 440.09, Florida Statutes, 1949, relating to coverage under the Florida Workmen's Compensation Act, and providing for a penalty against the employer where employer wilfully refuses to furnish or supply safety appliances or devices, or observe a safety rule approved by the commission or required by statute.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senators Gautier (13th), Beall, Lindler, Gautier (28th) and Pope—

S. B. No. 444—A bill to be entitled An Act amending Subsection (1) of Section 440.15 and repealing Subsection (13) of Section 440.20, Florida Statutes, 1949, relating to compensation payments for permanent total disability; defining such disability and repealing existing limitation of benefit period.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Johnson—

S. B. No. 445—A bill to be entitled An Act to amend Section 440.39, Florida Statutes, relating to compensation for injuries where third persons are liable.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senators Johnson, Tucker and Baker—

S. B. No. 446—A bill to be entitled An Act amending Section 231.36, Florida Statutes relating to school teachers; providing for contracts of employment; making continuing contracts permissive.

Which was read the first time by title only and referred to the Committee on Education.

By Senators Brackin and Baynard—

S. B. No. 447—A bill to be entitled An Act to be known as the Florida Plumbing Control Act of 1951; providing for the promotion and protection of the public health and safety by requiring plumbing contractors as defined in such Act as a prerequisite to obtaining an occupational license as such to comply with certain minimum requirements including the furnishing of a performance bond; requiring employment of plumbing inspectors by counties and certain cities and prescribing their powers and duties; adopting a State plumbing code; providing for collection of reasonable fee for cost of inspection; providing penalties for violations; repealing Section 469.06, Florida Statutes, 1949; repealing all laws and parts of laws in conflict herewith; providing nothing herein shall limit or repeal authority of State Board of Health; and fixing the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Governmental Reorganization.

By Senator Brackin—

S. B. No. 448—A bill to be entitled An Act to amend Section 603.03, Florida Statutes, relating to the salary and expenses of the State Marketing Commissioner of Florida and his deputies, assistants, and employees.

Which was read the first time by title only and referred to the Committee on Agriculture and Livestock and the Committee on Appropriations, in the order named.

By Senator Morrow—

S. B. No. 449—A bill to be entitled An Act fixing the compensation of County Solicitors of the criminal courts of record in and for counties in the State of Florida having a population of not less than one hundred fourteen thousand (114,000) and not more than one hundred fifteen thousand (115,000), according to the last preceding Federal or State census.

Which was read the first time by title only and referred to the Committee on Population.

By Senator Morrow—

S. B. No. 450—A bill to be entitled An Act fixing the compensation of Assistant County Solicitors of the criminal courts of record in and for counties in the State of Florida having a population of not less than one hundred fourteen thousand (114,000) and not more than one hundred fifteen thousand (115,000), according to the last preceding Federal or State census.

Which was read the first time by title only and referred to the Committee on Population.

By Senator Morrow—

S. B. No. 451—A bill to be entitled An Act relating to the county school boards of the State of Florida; authorizing any county school board of the State of Florida to elect one of its members as vice-chairman and prescribing the powers, duties and authorities of such vice-chairman.

Which was read the first time by title only and referred to the Committee on Education.

By Senator Morrow—

S. B. No. 452—A bill to be entitled An Act for the relief of Henry Opperman, and providing an appropriation for damages sustained by him by reason of the negligent operation of a bridge by a bridge tender employed by the State Road Department, and providing for the payment of same.

Which was read the first time by title only and referred to the Committee on Pensions and Claims.

By Senator Morrow—

S. B. No. 453—A bill to be entitled An Act to authorize public officials of any county of the State of Florida to reproduce on a small scale by photographic, micro-photographic, photostatic, micro-photostatic, or other process, any public records, court exhibits or office records in their official custody; to prescribe the conditions under which such records shall be so reproduced; to prescribe by whose authority the expenditure therefor shall be made, to provide for the verification, certifications, storage, examination and use of such reproductions; to provide that certified positive or negative reproductions shall be deemed the official original records for all purposes, and that certified copies thereof, or of any enlarged portion thereof, shall be acceptable in any court; to authorize the sale of copies of such reproductions; to provide that after the reproductions have been verified and certified the originals may be destroyed or otherwise disposed of; to provide that with certain exceptions public records, court exhibits and office records, which are considered to be worthless from a practical standpoint, may be destroyed or otherwise disposed of without first reproducing them on a smaller scale, provided that in each particular instance certain conditions are complied with, including the issuing and recording of a Circuit Court order; and otherwise generally and specifically regulating the reproducing of said records on a small scale and destroying same.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Branch—

S. B. No. 454—A bill to be entitled An Act amending Subsections (3) and (6) of Section 501.03 and Subsection (9) of Section 501.04, Florida Statutes, relating to the milk commission and its members, organization, powers and duties.

Which was read the first time by title only and referred to the Committee on Agriculture and Livestock.

By Senator Smith—

S. B. No. 455—A bill to be entitled An Act adding Section 617.22 to Chapter 617, Florida Statutes, relating to corporations not for profit and restricting the use of certain words in the name thereof.

Which was read the first time by title only and referred to the Committee on Corporations.

By Senator Leaird—

S. B. No. 456—A bill to be entitled An Act relating to sheriffs' offices and jails and the expense of equipping, maintaining and operating same; and relating to certain duties of the several Boards of County Commissioners.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Boyle—

S. B. No. 457—A bill to be entitled An Act to amend Chapter 317, Florida Statutes, 1949, relating to the regulation of traffic on highways, by amending Section 317.66 of said Chapter requiring certain vehicles to carry flares or similar devices; and by amending Section 317.67 of said Chapter requiring the display of warning devices when certain motor vehicles are disabled on the highways or shoulders thereof.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Boyle—

S. B. No. 458—A bill to be entitled An Act relating to the equipment of motor vehicles with safety glass and prescribing the powers and duties of the Department of Public Safety and the Motor Vehicle Commissioner in administering said Act.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senators Baynard, Franklin and Rodgers—

S. B. No. 459—A bill to be entitled An Act to provide for the appointment of a Constitutional Advisory Commission to make

a study of the Florida Constitution excepting the Bill of Rights and to report its findings and recommendations as to revision, amendments or repeals thereof to the 1953 Session of the Legislature: providing for compensation of members of the commission and making appropriation for necessary expenses.

Which was read the first time by title only and referred to the Committee on Constitutional Amendments.

By Senator King—

S. B. No. 460—A bill to be entitled An Act to amend Section 443.08, Florida Statutes 1949, known as the "Unemployment Compensation Law," relating to contributions; by providing for a zero contribution rate, and making this Act effective July 1, 1951.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Wright—

S. B. No. 461—A bill to be entitled An Act creating an elective office of prosecuting attorney for the County Judges' Court in all counties in Florida having a population of not less than 13,750 and not more than 14,150 according to the most recent official census; fixing the term of said office and the method of filling same and prescribing the salary.

Which was read the first time by title only.

Senator Wright moved that the rules be waived and Senate Bill No. 461 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 461 was read the second time by title only.

Senator Wright moved that the rules be further waived and Senate Bill No. 461 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 461 was read the third time in full.

Upon the passage of Senate Bill No. 461 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 461 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Wright—

S. B. No. 462—A bill to be entitled An Act creating an elective office of prosecuting attorney for the County Judge's Court in all counties in Florida having a population of not less than 14,500 and not more than 16,000 according to the most recent official census; fixing the term of said office and the method of filling same and prescribing the salary.

Which was read the first time by title only.

Senator Wright moved that the rules be waived and Senate Bill No. 462 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 462 was read the second time by title only.

Senator Wright moved that the rules be further waived

and Senate Bill No. 462 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 462 was read the third time in full.

Upon the passage of Senate Bill No. 462 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 462 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGE FROM THE GOVERNOR

STATE OF FLORIDA
EXECUTIVE DEPARTMENT

TALLAHASSEE
April 23, 1951

Honorable Wallace E. Sturgis,
President of the Senate,
State Capitol
Sir:

I have the honor to inform you that I have today approved the following Act, which originated in your Honorable Body, Regular Session, 1951, and have caused same to be filed in the office of the Secretary of State:

S. B. NO. 23—RELATING TO ALACHUA COUNTY.

Respectfully,
FULLER WARREN,
Governor.

Senator Ripley moved that a committee of three be appointed to escort Honorable Haydon Burns, Mayor of the City of Jacksonville, to a seat on the rostrum.

Which was agreed to.

The President appointed Senators Ripley, Pope and Branch as the committee.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 24, 1951

Hon. Wallace E. Sturgis,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendments to:

By Messrs. Okell, Fascell and Floyd of Dade—

H. B. No. 82—A bill to be entitled An Act to provide that the Board of County Commissioners of every county owning and operating an airport shall have the right, power and authority to enter into contracts with automobile transportation companies for the transportation of passengers for hire between such airport or airports and designated points within such county; providing for the issuance of certificates of public convenience and necessity by the Florida Railroad and Public Utilities Commission to every such transportation company; and for other purposes.

Which amendments read as follows:

Amendment No. 1:

In Section 3, strike out the Section 3 and insert in lieu thereof the following: "Section 3. Provided, however, this Act shall not be applicable in any county owning or operating an airport which said airport is geographically located so as to be separated from the mainland of the State of Florida by any bay, ocean, sea, river or other body of water And further provided that the provisions of this Act shall not apply to counties having a population between one hundred fifty (150,000) thousand and two hundred (200,000) thousand."

Amendment No. 2:

Add a new Section four (4) as follows and renumber the following sections accordingly: "Section 4. The respective sections of this Act are hereby declared to be severable. If any section, clause, sentence or provision of this Act shall be declared to be unconstitutional or the applicability thereof to any person or circumstance is held invalid, or if this Act shall be held to be unconstitutional because of any section, clause, sentence or provision thereof, the validity of the remainder of the Act and the applicability thereof to other persons or circumstances shall not be affected thereby: And the Legislature of Florida declares that it would have enacted this Act without such section, clause, sentence or provision."

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 23, 1951

Hon. Wallace E. Sturgis,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Senators Morrow and Baynard—

Senate Concurrent Resolution No. 174:

A CONCURRENT RESOLUTION, REQUESTING THE CONGRESS OF THE UNITED STATES TO DISREGARD HOUSE MEMORIAL NO. 15 ADOPTED BY THE FLORIDA LEGISLATURE IN 1943, AND HOUSE CONCURRENT RESOLUTION NO. 10 ADOPTED BY THE 1945 LEGISLATURE, AND SENATE MEMORIAL NO. 282 ADOPTED BY THE 1949 LEGISLATURE, THUS RESCINDING, RECALLING AND REVOKING THE AFORESAID MEMORIALS FROM THE STATE OF FLORIDA FOR THE CONVENING OF A CONSTITUTIONAL CONVENTION, AS PROVIDED BY ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA, THE SUBJECT MATTER OF SAID MEMORIALS BEING TO INITIATE AND ADOPT AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA, WHEREBY THE UNITED STATES OF AMERICA MIGHT PARTICIPATE IN A LIMITED WORLD FEDERAL GOVERNMENT.

WHEREAS, The Legislature of the State of Florida, desiring to officially record itself by a two-thirds vote of the members of both Senate and House thereof, by this Resolution, declares that the Legislative Memorial passed and adopted by former Legislatures of the State of Florida, to-wit: Memorial No. 15 of the 1943 Legislature; House Concurrent Resolution No. 10 of the 1945 Legislature and Memorial No. 282 of the 1949 Legislature, should no longer be permitted to stand in their purport, operation and effect, in proposing from the State of Florida, the calling of a Federal Constitutional Convention by the Congress of the United States of America, to amend the Constitution of the United States of America to provide for authority for participation by the United States of America in a limited World Federal Government,

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF FLORIDA, THE HOUSE OF REPRESENTATIVES CONCURRING:

(1) That any and all applications heretofore made to the

Congress of the United States of America, pursuant to Article V of the Constitution of the United States of America, to call a convention for the sole purpose of proposing amendments to the Constitution of the United States of America, to enable the participation of the United States of America in a World Federal Government, as provided by Memorial No. 15 of the 1943 Legislature, House Concurrent Resolution No. 10 of the 1945 Legislature and Memorial No. 282 of the 1949 Legislature, be, each and all of them, and the same are hereby recalled, revoked and rescinded, and the State of Florida withdraws any and all applications for the call of the Constitutional Convention heretofore emanating from it, or adopted by its Legislature, and heretofore transmitted to the Congress of the United States of America.

BE IT FURTHER RESOLVED:

(1) That the Secretary of State of the State of Florida is hereby directed to certify under the great seal of the State of Florida and promptly transmit copies of this resolution to the Senate and House of Representatives of the United States of America as the law may require.

(2) That a copy of this resolution shall also be transmitted to the Governor of each of the several States of the United States of America, with the request that the said Governor transmit copies thereof to the respective Legislative bodies of his State, in the manner and form provided by law.

(3) That a copy of this resolution be forwarded to the President of the United States of America.

(4) That this resolution shall become effective immediately upon its passage by a two-thirds vote of the members of each body of the Legislature of the State of Florida.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Concurrent Resolution No. 174, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 23, 1951

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, as amended—

By Mr. Bailey of Calhoun—

H. B. No. 44—A bill to be entitled An Act relating to the City of Blountstown, Calhoun County, Florida, amending the Charter, being Chapter 18432, Acts of 1937 by amending Section 2 of Chapter 21117, Acts of 1941, relating to the amount of authorized indebtedness, and amending Section 1 of Chapter 24392, Acts of 1947, providing for revenue certificates for the electric plant.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 44 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 44, contained in the above Message, was read the first time by title only.

Senator Shivers moved that the rules be waived and House Bill No. 44 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 44 was read the second time by title only.

Senator Shivers moved that the rules be further waived and House Bill No. 44 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 44 was read the third time in full.

Upon the passage of House Bill No. 44 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So House Bill No. 44 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 23, 1951

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Legislative Expense—

H. B. No. 374—A bill to be entitled An Act to amend Section 11.13, Florida Statutes 1941, as amended, relative to compensation of members of the Legislature.

Also—

By the Legislative Council Committee—

H. B. No. 251—A bill to be entitled An Act to amend Sections 239.19 and 239.41, Florida Statutes, relating to the granting of scholarships in the institutions of higher learning by requiring that Senatorial, Representative and General (Lewis) Scholarships be limited to fields of education in which there is a shortage of teachers.

Also—

By Mr. Atkinson of Leon—

H. B. No. 181—A bill to be entitled An Act to amend Chapter 25326, Laws of 1949, the same being Chapter 472, Florida Statutes, 1949, relating to land surveyors, providing an extension of time in which a certificate of registration may be issued.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 374, contained in the above Message, was read the first time by title only.

Senator Davis moved that the rules be waived and House Bill No. 374 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 374 was read the second time by title only.

Senator Davis moved that the rules be further waived and House Bill No. 374 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 374 was read the third time in full.

Upon the passage of House Bill No. 374 the roll was called and the vote was:

Yeas—35.

Mr. President	Collins	Johnston	Ripley
Ayers	Crary	King	Rodgers
Baker	Davis	Lewis	Rogells
Baynard	Dayton	Lindler	Sanchez
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Carroll	Johns	Pearce	Wright
Clarke	Johnson	Pope	

Nays —None.

So House Bill No. 374 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 251, contained in the above Message, was read the first time by title only and referred to the Committee on Education.

And House Bill No. 181, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 23, 1951

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, as amended—

By Messrs. Floyd, Okell and Fascell of Dade—

H. B. No. 84—A bill to be entitled An Act to provide a penalty for violation of the lawfully adopted rule of either branch of the Legislature of the State relating to registration of lobbyists.

Also—

By Messrs. Smith of Polk and McFarlin of Jackson—

H. B. No. 227—A bill to be entitled An Act authorizing the destruction of certain bank records after a period of ten years, and limiting the liability of banks destroying records after the expiration of such period.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 84, contained in the above Message, was read the first time by title only and referred to the Committee on Judiciary "C".

And House Bill No. 227, contained in the above Message, was read the first time by title only and referred to the Committee on Banking and Building and Loans.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 23, 1951

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, as amended—

By Messrs. Cobb of Volusia, Bollinger of Palm Beach, David of Broward, Darby of Escambia, Floyd and Fascell of Dade—

H. B. No. 101—A bill to be entitled An Act relating to liability insurance coverage of and suits against the State of Florida, counties of the State and other political subdivisions and entities of the State for personal injury and property damage resulting from the negligence or wrongful act of its officers, agents and employees.

Also—

By Messrs. Okell, Fascell and Floyd of Dade, David of Broward and Watson of Lee—

H. B. No. 150—A bill to be entitled An Act relating to furnishing reports of mental and physical examinations of persons by doctors and other practitioners of the healing sciences.

Also—

By Mr. Cramer of Pinellas—

H. B. No. 3—A bill to be entitled An Act authorizing and directing the Board of County Commissioners of all counties in the State having a population of not less than one hundred thirty thousand (130,000) and not more than two hundred thousand (200,000) according to the last official census to appoint and employ a county medical examiner; to fix the term of his employment and his compensation; to provide said medical examiner shall be empowered to investigate deaths of persons resulting from criminal violations, by casualties, by suicide, suddenly when in apparent good health, when not attended by a physician, in prison or in any suspicious or unusual manner; to make investigation or examination, when called upon by the State Attorney of said judicial circuit in respect to any female person allegedly raped; to provide the county medical examiner shall make a report of all investigations and examinations and otherwise to prescribe the powers and duties of such county medical examiners; to provide for assistant examiners; to provide for autopsies; and requiring such medical examiner to appear and testify at Coroner's inquests when required.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 101, contained in the above Message, was read the first time by title only.

Senator Collins moved that the rules be waived and House Bill No. 101 be placed on the Calendar of Bills on Second Reading without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 150, contained in the above Message, was read the first time by title only.

Senator King moved that the rules be waived and House Bill No. 150 be placed on the Calendar of Bills on Second Reading without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 3, contained in the above Message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 23, 1951

*Hon. Wallace E. Sturgis,
President of the Senate,
Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed as amended—by the required Constitutional three-fifths vote of all members elected to the House of Representatives for the 1951 Session of the Florida Legislature—

By Messrs. Sheppard of St. Johns and Murray of Polk—

H. J. R. No. 9—A JOINT RESOLUTION PROPOSING AN AMENDMENT OF SECTION 2, ARTICLE III, CONSTITUTION OF THE STATE OF FLORIDA, RELATED TO REGULAR AND EXTRA SESSIONS OF THE LEGISLATURE, BY ADDING TO SAID SECTION A PROVISION FOR THE CONVENING OF THE LEGISLATURE INTO EXTRA SESSION BY THE MEMBERS THEREOF.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the amendment of Section 2 of Article III, Florida Constitution, by adding thereto a provision for convening of the Legislature into extra session by the members thereof, is hereby agreed to and shall be submitted to the electors of the State of Florida for ratification or rejection at the general election for representatives to be held in the year 1952, as follows:

Section 2. REGULAR AND EXTRA SESSIONS.—The regular sessions of the Legislature shall be held biennially, commencing on the first Tuesday after the first Monday in April, A. D. 1887, and on the corresponding day of every second year thereafter, but the Governor may convene the same in extra session by his proclamation. Regular sessions of the Legislature may extend to sixty days, but no special session convened by the Governor shall exceed twenty days. Provided, that the Legislature may also be convened in extra session by the members thereof in the manner set forth in the succeeding provisions of this section. When three-fifths of the members elected to the Senate and three-fifths of the members elected to the House of Representatives shall execute and file with the Secretary of State their certificate or certificates that in their opinion such an emergency exists in the affairs of the State of Florida as to warrant the convening of the Legislature into extra session, it shall be the mandatory duty of the Secretary of State, within five days from the filing of any such certificate or certificates with him, to fix the day and hour for the convening of such extra session, and within said period of five days to give notice by registered mail to each member elected to the House of Representatives and to each member elected to the Senate of the filing of such certificate or certificates with him and of the day and hour for the convening of such session. The time for the convening of said session to be fixed by the Secretary of State shall be not less than ten days and not more than twenty days from the date of the mailing of said notices and his order fixing such time shall be preserved among the records of his office. In pursuance of such certificate or certificates and said notice, the Legislature shall convene in extra session for all purposes as if convened in regular session, provided that any such extra session convened by the members shall be limited to a period of thirty (30) days.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Joint Resolution No. 9, contained in the above Message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following Message from the House of Representatives was read:

Tallahassee, Florida.
April 24, 1951

Hon. Wallace E. Sturgis,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Moody of Hillsborough—

H. B. No. 107—A bill to be entitled An Act amending Sec-

tions 704.01, 704.02, 704.03, Florida Statutes, 1949, relating to easements and providing for the use and maintenance of easements over certain lands when any land desired for use as a dwelling or for agricultural or stockraising purposes has no practical route of egress and ingress.

Also—

By Messrs. Williams of Seminole, Watson of Lee, Fascell of Dade, Simpson of Jefferson, Beasley of Walton, Murray of Polk, Andrews and Kirkland of Orange, Moody and Pittman of Hillsborough, Turlington and Whitlock of Alachua, Ayres of Marion, Jacobs of Suwannee, Dowda of Putnam, Hathaway of Charlotte, Cramer, McLaren and Shaffer of Pinellas and Tate of Sarasota—

H. B. No. 170—A bill to be entitled An Act to amend Section 12 of Chapter 25016, Laws of Florida, 1949, granting certain powers to the Florida Railroad Commissioners, the Attorney General and the State Attorneys of the State of Florida, for the enforcing of the provisions of Chapter 25016, relating to the regulation of public utilities in the furnishing to others of private wire service and other similar service for the dissemination of information, regulating the use of such service and prohibiting the use of same for gambling purposes and to provide remedies and penalties for the enforcement thereof.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 107, contained in the above Message, was read the first time by title only and referred to the Committee on Agriculture and Livestock.

And House Bill No. 170, contained in the above Message, was read the first time by title only.

Senator Baynard moved that the rules be waived and House Bill No. 170 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

The following Message from the House of Representatives was read:

Tallahassee, Florida,

April 23, 1951

Hon. Wallace E. Sturgis,
President of the Senate,
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed, with amendment—

By Senator Shands—

S. B. No. 24—A bill to be entitled An Act to amend Section 7 of Chapter 8271, Laws of Florida, Acts of 1919, being "An Act to abolish the present municipal government of the Town of Hawthorne, Alachua County, Florida, and to create and establish a municipal corporation to be known as the City of Hawthorne; to define its territorial limits and prescribe the powers and authority thereof."

Proof of publication attached.

Which amendment reads as follows:

In Section 3, line 1, 2, 3, of the bill, strike out the words: "Section 3. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its becoming a law without such approval," and insert the following in lieu thereof: "Section 3. This Act shall become effective immediately upon becoming a law subject to being approved and ratified by a majority of the qualified electors of the Town of Hawthorne, Alachua County, Florida, voting at an election to be held on the 5th day of June, 1951."

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And Senate Bill No. 24, contained in the above Message, was read by title, together with the House amendment thereto.

Senator Shands moved that the Senate concur in the House amendment to Senate Bill No. 24.

Which was agreed to and the Senate concurred in the House Amendment to Senate Bill No. 24.

And Senate Bill No. 24, as amended, was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing, and the action of the Senate was ordered certified to the House of Representatives.

SENATE BILLS ON SECOND READING

S. B. No. 129—A bill to be entitled An Act prescribing grounds for disqualification of members of any commission, authority, administrative body or governmental agency existing under the Laws of Florida; providing for appointment of person to serve temporarily in lieu of disqualified member; providing for appointment of Circuit Judge to serve temporarily when the disqualified member is authorized to exercise judicial powers; providing for the effect of any judgment, order, determination or decision of any such commission, authority, administrative body or governmental agency when the same shall consist of one or more persons appointed to serve under provisions of this Act; and repealing all laws in conflict herewith.

Was taken up in its order.

Senator Beall moved that the rules be waived and Senate Bill No. 129 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 129 was read the second time by title only.

Senator Baynard offered the following amendment to Senate Bill No. 129:

Add at the end of Section 1 the following: "Provided however the provisions of this section shall not apply to the State Insurance Commissioner and the Commissioner of Agriculture."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Baynard also offered the following amendment to Senate Bill No. 129:

Add at the end of Section 2 the following: "Provided, however the provisions of this section shall not apply to the State Insurance Commissioner and the Commissioner of Agriculture."

Senator Baynard moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Beall moved that the rules be further waived and Senate Bill No. 129, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 129, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 129, as amended, the roll was called and the vote was:

Yeas—36.

Mr. President	Clarke	Johnston	Ripley
Ayers	Collins	King	Rodgers
Baker	Crary	Lewis	Rogells
Baynard	Davis	Lindler	Sanchez
Beall	Franklin	McArthur	Shands
Boyle	Gautier (28th)	Moore	Shivers
Brackin	Gautier (13th)	Morrow	Smith
Branch	Johns	Pearce	Tucker
Carroll	Johnson	Pope	Wright

Nays—1.

Dayton

So Senate Bill No. 129 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Johnston asked unanimous consent of the Senate to take up and consider House Bill No. 216, out of its order.

Which was agreed to.

H. B. No. 216—A bill to be entitled An Act requiring members of the Board of County Commissioners of Hernando County to be nominated by voters at large and not districts and providing for residence requirements of board members.

Was taken up.

Senator Johnston moved that the rules be waived and House Bill No. 216 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 216 was read the second time by title only.

Senator Johnston moved that the rules be further waived and House Bill No. 216 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 216 was read the third time in full.

Upon the passage of House Bill No. 216 the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So House Bill No. 216 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Joint Resolutions Nos. 40 and 41 were taken up in their order and, by unanimous consent, the consideration thereof was informally passed, the Bills retaining their places on the Calendar of Bills and Joint Resolutions on Second Reading.

S. B. No. 80—A bill to be entitled An Act amending Section 458.05, Florida Statutes, and relating to applications to take the medical examinations in this State; the qualifications necessary to admit applicants to such examinations; penalties for practicing medicine without a license; and matters in connection therewith.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 80 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 80 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 80 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 80 was read the third time in full.

Upon the passage of Senate Bill No. 80 the roll was called and the vote was:

Yeas—32.

Mr. President	Crary	King	Rodgers
Ayers	Davis	Lewis	Rogells
Baker	Dayton	Lindler	Sanchez
Baynard	Gautier (28th)	McArthur	Shands
Beall	Gautier (13th)	Morrow	Shivers
Brackin	Johns	Pearce	Smith
Carroll	Johnson	Pope	Tucker
Clarke	Johnston	Ripley	Wright

Nays—2.

Branch Franklin

So Senate Bill No. 80 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 81—A bill to be entitled An Act amending Section 458.08, Florida Statutes, and relating to the approval and classification of Medical Schools and Colleges, and of Hospitals, by the Board of Medical Examiners.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 81 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 81 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 81 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 81 was read the third time in full.

Upon the passage of Senate Bill No. 81 the roll was called and the vote was:

Yeas—37.

Mr. President	Collins	King	Rogells
Ayers	Crary	Leaird	Sanchez
Baker	Davis	Lewis	Shands
Baynard	Dayton	Lindler	Shivers
Beall	Franklin	McArthur	Smith
Boyle	Gautier (28th)	Morrow	Tucker
Brackin	Gautier (13th)	Pearce	Wright
Branch	Johns	Pope	
Carroll	Johnson	Ripley	
Clarke	Johnston	Rodgers	

Nays—None.

So Senate Bill No. 81 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Ripley asked unanimous consent of the Senate to take up and consider House Bill No. 266, out of its order.

Which was agreed to.

H. B. No. 266—A bill to be entitled An Act to provide for temporary hospitalization and confinement of persons subject to proceedings of determination of mental capacity as provided by Sections 394.20 and 394.21, Florida Statutes in counties having a population in excess of 300,000 according to the last official census; and providing for procedure and payment of costs in such proceedings.

Was taken up.

Senator Ripley moved that the rules be waived and House Bill No. 266 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 266 was read the second time by title only.

Senator Branch offered the following amendment to House Bill No. 266:

In Section 1, line 2, (typewritten bill) strike out the figures: "300,000" and insert in lieu thereof figures: "225,000."

Senator Branch moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Branch also offered the following amendment to House Bill No. 266:

In Title, line 6, (typewritten bill), strike out the figures "300,000" and insert in lieu thereof the following: "225,000".

Senator Branch moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Ripley moved that the rules be further waived and House Bill No. 266, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 266, as amended, was read the third time in full.

Upon the passage of House Bill No. 266, as amended, the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So House Bill No. 266 passed, as amended, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 82—A bill to be entitled An Act amending Section 458.10, Florida Statutes, relating to the amount of fees to be paid in connection with applications to take the medical examinations in this State.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 82 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 82 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 82 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 82 was read the third time in full.

Upon the passage of Senate Bill No. 82 the roll was called and the vote was:

Yeas—35.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baynard	Davis	Lewis	Sanchez
Beall	Dayton	Lindler	Shands
Boyle	Franklin	McArthur	Shivers
Brackin	Gautier (28th)	Morrow	Smith
Branch	Gautier (13th)	Pearce	Tucker
Carroll	Johnson	Pope	Wright
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 82 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 83—A bill to be entitled An Act amending Section 458.12, Florida Statutes, and adding three new and additional Sections to Chapter 458, Florida Statutes, to be known and designated as Sections 458.121, 458.122 and 458.123, all relating to the revocation, suspension, annulment and denial of licenses issued or to be issued under said Chapter 458, Florida Statutes; providing the grounds therefor and the procedure in connection therewith and for appeals from decisions and orders of the Board in connection therewith.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 83 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 83 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 83 was read the third time in full.

Upon the passage of Senate Bill No. 83 the roll was called and the vote was:

Yeas—33.

Mr. President	Collins	King	Sanchez
Ayers	Crary	Lindler	Shands
Baynard	Davis	McArthur	Shivers
Beall	Dayton	Morrow	Smith
Boyle	Franklin	Pearce	Tucker
Brackin	Gautier (28th)	Pope	Wright
Branch	Gautier (13th)	Ripley	
Carroll	Johnson	Rodgers	
Clarke	Johnston	Rogells	

Nays—None.

So Senate Bill No. 83 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 84—A bill to be entitled An Act amending Section 458.13, Florida Statutes, and defining medical practice, fixing certain limitations upon the practice of medicine in this State, and exempting certain things from the operation of Chapter 458, Florida Statutes.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 84 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 84 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 84 was read the third time in full.

Upon the passage of Senate Bill No. 84 the roll was called and the vote was:

Yeas—32.

Mr. President	Collins	Leaird	Ripley
Ayers	Crary	Lewis	Rodgers
Baynard	Davis	Lindler	Rogells
Beall	Dayton	McArthur	Sanchez
Boyle	Franklin	Moore	Shands
Brackin	Johnson	Morrow	Shivers
Carroll	Johnston	Pearce	Tucker
Clarke	King	Pope	Wright

Nays—None.

So Senate Bill No. 84 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 85—A bill to be entitled An Act providing a method for proving that a person is or is not duly licensed and qualified to practice any of the healing arts, or to practice dentistry, pharmacy or nursing under the statutes and laws of the State of Florida.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 85 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 85 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was read the third time in full.

Upon the passage of Senate Bill No. 85 the roll was called and the vote was:

Yeas—32.

Mr. President	Collins	King	Pope
Ayers	Crary	Leaird	Ripley
Baker	Davis	Lewis	Rodgers
Baynard	Dayton	Lindler	Rogells
Beall	Franklin	McArthur	Sanchez
Brackin	Gautier (28th)	Moore	Shivers
Carroll	Johnson	Morrow	Tucker
Clarke	Johnston	Pearce	Wright

Nays—None.

So Senate Bill No. 85 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 86—A bill to be entitled An Act providing for the appointment or employment of an Assistant Secretary or Secretaries for the State Board of Medical Examiners and defining his powers, duties and authority.

Was taken up in its order.

Senator Brackin moved that the rules be waived and Senate Bill No. 86 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86 was read the second time by title only.

Senator Brackin moved that the rules be further waived and Senate Bill No. 86 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86 was read the third time in full.

Upon the passage of Senate Bill No. 86 the roll was called and the vote was:

Yeas—32.

Mr. President	Collins	Johnston	Pope
Ayers	Crary	Leaird	Ripley
Baker	Davis	Lewis	Rodgers
Baynard	Dayton	Lindler	Rogells
Beall	Franklin	McArthur	Sanchez
Brackin	Gautier (28th)	Moore	Shands
Branch	Gautier (13th)	Morrow	Tucker
Clarke	Johnson	Pearce	Wright

Nays—None.

So Senate Bill No. 86 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

S. B. No. 156—A bill to be entitled An Act to provide for the compensation and fees to be paid to County Judges as Judges of the county courts in all counties having a population of not less than twenty-five thousand and not more than twenty-seven thousand according to the last official census.

Was taken up in its order.

Senator Boyle moved that the rules be waived and Senate Bill No. 156 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 156 was read the second time by title only.

Senator Boyle offered the following amendment to Senate Bill No. 156:

In Section 1, line 7, (typewritten bill) strike out the word: "three" and insert in lieu thereof the following "five".

Senator Boyle moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Boyle moved that the rules be further waived and Senate Bill No. 156, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 156, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 156, as amended, the roll was called and the vote was:

Yeas—38.

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—None.

So Senate Bill No. 156 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

S. B. No. 142—A bill to be entitled An Act to amend Section 317.38, Florida Statutes, relating to traffic signals by operators of motor vehicles.

Was taken up in its order.

Senator McArthur moved that the rules be waived and Senate Bill No. 142 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 142 was read the second time by title only.

Senator McArthur moved that the rules be further waived and Senate Bill No. 142 be read the third time in full and put upon its passage

Which was agreed to by a two-thirds vote.

And Senate Bill No. 142 was read the third time in full.

Upon the passage of Senate Bill No. 142 the roll was called and the vote was:

Yeas—35.

Mr. President	Clarke	King	Ripley
Ayers	Crary	Leaird	Rodgers
Baker	Davis	Lewis	Rogells
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (13th)	Moore	Smith
Brackin	Johns	Morrow	Tucker
Branch	Johnson	Pearce	Wright
Carroll	Johnston	Pope	

Nays—None.

So Senate Bill No. 142 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senate Bill No. 113 was taken up in its order and the consideration thereof was informally passed and placed at the foot of the Calendar pursuant to Rule No. 43.

Senator Ripley asked unanimous consent of the Senate to take up and consider House Bill No. 11, out of its order.

Which was agreed to.

H. B. No. 11—A bill to be entitled An Act relating to motor vehicles: Amending Section 320.07, Florida Statutes.

Was taken up.

Senator Ripley moved that the rules be waived and House Bill No. 11 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 11 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 11 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 11 was read the third time in full.

Upon the passage of House Bill No. 11 the roll was called and the vote was:

Yeas—33.

Mr. President	Collins	Leaird	Rodgers
Ayers	Crary	Lewis	Rogells
Baker	Davis	Lindler	Sanchez
Baynard	Dayton	McArthur	Shands
Beall	Franklin	Moore	Shivers
Brackin	Gautier (28th)	Morrow	Smith
Branch	Gautier (13th)	Pearce	
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

Nays—2.

King Tucker

So House Bill No. 11 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By unanimous consent Senator Ripley withdrew Senate Bill No. 28.

Senator Gautier (13th) moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to.

And the Senate went into Executive Session at 12:32 o'clock P. M.

The Senate emerged from Executive Session at 1:45 o'clock P. M., and resumed its Session.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	King	Rodgers
Ayers	Crary	Leaird	Rogells
Baker	Davis	Lewis	Sanchez
Baynard	Dayton	Lindler	Shands
Beall	Franklin	McArthur	Shivers
Boyle	Gautier (28th)	Moore	Smith
Brackin	Gautier (13th)	Morrow	Tucker
Branch	Johns	Pearce	Wright
Carroll	Johnson	Pope	
Clarke	Johnston	Ripley	

—38.

A quorum present.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:47 o'clock P. M., until 11:00 o'clock A. M., Wednesday, April 25, 1951.

EXECUTIVE SESSION ANNOUNCEMENTS

The Senate in Executive Session on April 24, 1951, upon recommendation of the Governor, removed from office:

Sam D. May, County Judge of Washington County, Florida.